

### **Remarks/Arguments**

In the Specification, the two paragraphs beginning on page 2 line 12 have been amended, and no new matter has been introduced.

Claims 1-4, 7-11 , 14-18 , and 21 have been amended. No new claims have been added. No claims have been canceled. Claims 1-21 remain pending in this application. Reexamination and reconsideration of the application as amended are respectfully requested.

#### **Provisional Rejection of Claims 1-15 under Double Patenting**

The Examiner rejected claims 1-21 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over co-pending Application Number 09/687,412 and over co-pending Application Number 09/687,414. Applicants respectfully traverse this rejection for the reasons set forth below.

Applicants have provided an appropriate terminal disclaimer relative to co-pending Application Numbers 09/687,412 and 09/687,414.

#### **Rejection of Claims 4-6, 11-13, and 18-20 under 35 USC § 112, Second Paragraph**

The Examiner rejected claims 4-6, 11-13, and 18-20 under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection for the reasons set forth below.

Applicants have amended claims 4-6, 11-13, and 18-20 making the appropriate amendments such that the claims particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, Applicants have amended claims 4, 11, and 18 to read “~~which~~ items that are being used . . .”. Relative to claims 6, 13, and 20, Applicants respectfully disagree that there is insufficient antecedent basis for the limitation “the remote server” as these claims depend from claims 2, 9, and 16 which contain the antecedent basis “a remote server” in the first element of the claims: “**a remote server** executing on a remote data processing system”.

#### **Rejection under 35 U.S.C. §103(a) of Claims 1, 4, 8, 11, 15, and 18**

The Examiner rejected claims 1, 4, 8, 11, 15, and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Hsu*, U.S. Patent No. 5,894,515. Applicants respectfully traverse this rejection for the reasons set forth below.

The present invention provides for installing an application program for execution on a data processing system by: defining a user configuration of the application program **corresponding to a particular user** of the application program; encrypting and storing the user configuration in a manifest file; determining that the stored user configuration **corresponds to the particular user**; authenticating the particular user in response to the particular user requesting the application program; decrypting the manifest file in response to the user authentication; and building the application program pursuant to the user configuration decrypted from the manifest file.

*Kenner et al.* provides for installing an application program for execution on a data processing system by: defining a **system configuration** of the application program corresponding to the **system**; storing the **system configuration** in a system registry which is a system configuration file maintained by the operating system; and building the application program pursuant to the **system configuration** contained in the **system registry**.

The Examiner asserts that *Kenner et al.* teaches defining a configuration of the application program corresponding to a particular user of the application program, determining that the stored configuration corresponds to the user, and building the application program according to a user configuration. The Examiner further asserts that since the information is pulled from the user's computer's registry, it must correspond to the user. However, the system registry does not correspond to the user, the system registry corresponds to the system. According to the teachings of *Kenner et al.*, if there are multiple users on the system, there is only one single system registry corresponding to the system, not multiple system registries wherein each system registry corresponds to a different user. If a user moves to another new system, then *Kenner et al.* fails to teach that the system registry on the new system is replaced with the system registry from the user's old system.

According to the teachings of *Kenner et al.*, if a particular user uses a system (workstation or terminal) and uses an application built on that system, then the application is built according to the system configuration, not according to a user configuration corresponding to the particular user. Furthermore, according to the teachings of *Kenner et al.*, if multiple users are using the same system, then each of the multiple users uses the same application built according to the

same single system configuration. In addition, according to the teachings of *Kenner et al.*, if the particular user moves from a first system with a first system configuration to a different second system with a second system configuration, then the particular user is forced to use the application built according to the second system configuration although the user is accustomed to using the application built according to the first system configuration.

Unlike the *Kenner et al.* system configuration with the above deficiencies, the present invention provides a novel user configuration of the application program corresponding to the particular user of the application program and builds the application according to the user configuration. The application is built according to the user configuration, not according to a system configuration. If multiple users are using the same system, then each of the multiple users may use a different build of the application built according to a different user configuration corresponding to each of the different multiple users. If the particular user moves from a first system to a different second system, then the particular user may use a build of the application built according to the user configuration corresponding to the particular user, the build of the application to which the user is accustomed.

Even if one were to combine the teachings of *Kenner et al.* and *Hsu*, the combination still fails to teach or suggest the present invention as the combination merely results in a system which updates an application according to a system configuration requiring a user logon or user authentication to use information such as the system configuration. As the combination of *Kenner et al.* and *Hsu* teaches a system registry or system configuration; the combination fails to teach or suggest “defining a user configuration of the application program corresponding to a

particular user of the application program, and encrypting and storing the user configuration in a manifest file'. As the combination of *Kenner et al.* and *Hsu* suggests authenticating a user in response to a user request to use a system registry or system configuration; the combination fails to teach or suggest "determining that the stored user configuration corresponds to the particular user and authenticating the particular user in response to the particular user requesting the application program". Furthermore, as the combination of *Kenner et al.* and *Hsu* only suggests authenticating a user in response to a user request to use a system registry or system configuration; the combination also fails to teach or suggest "decrypting the manifest file in response to the user authentication; and building the application program pursuant to the user configuration decrypted from the manifest file". Applicants therefore respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejections of independent claims 1, 4, 8, 11, 15, and 18.

**Rejection under 35 U.S.C. §103(a) of Claims 2, 3, 6, 7, 9, 10, 13, 14, 16, 17, 20, and 21**

The Examiner rejected claims 2, 3, 6, 7, 9, 10, 13, 14, 16, 17, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Hsu*, U.S. Patent No. 5,894,515, and further in view of *Hayes, Jr.*, U.S. Patent No. 6,205,476. Applicants respectfully traverse this rejection for the reasons set forth below.

Relative to dependent claims 2, 3, 6, 7, 9, 10, 13, 14, 16, 17, 20, and 21, these dependent claims depend from independent claims 1, 8, and 15, respectively. Since these dependent claims depend from independent claims 1, 8, and 15, and Applicants believe they have successfully

traversed the Examiner's rejection of independent claims 1, 8, and 15, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 2, 3, 6, 7, 9, 10, 13, 14, 16, 17, 20, and 21.

#### **Rejection under 35 U.S.C. §103(a) of Claims 5, 12, and 19**

The Examiner rejected claims 5, 12, and 19 under 35 U.S.C. § 103(a) as being unpatentable over *Kenner et al.*, U.S. Patent No. 6,314,565, in view of *Hsu*, U.S. Patent No. 5,894,515, and further in view of *Misra et al.*, U.S. Patent No. 6,189,146. Applicants respectfully traverse this rejection for the reasons set forth below.

Relative to dependent claims 5, 12, and 19, these dependent claims depend from independent claims 1, 8, and 15, respectively. Since these dependent claims depend from independent claims 1, 8, and 15, and Applicants believe they have successfully traversed the Examiner's rejection of independent claims 1, 8, and 15, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of dependent claims 5, 12, and 19.

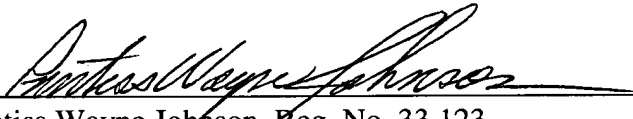
#### **Prior Art Made of Record and Not Relied Upon**

Applicants have reviewed the prior art made of record and not relied upon considered pertinent to Applicants' disclosure, and these fail to teach or suggest the claimed invention.

## Conclusion

Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this Application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,  
Howard J. Glaser et al.

By:   
Prentiss Wayne Johnson, Reg. No. 33,123  
Attorney for Applicants  
IBM Corporation  
Intellectual Property Law  
555 Bailey Avenue, J46/G467  
San Jose, CA 95141-9989  
Telephone: (408) 463-5673

Date: August 25, 2003